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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: ZHU, Yaping, et al.
Serial No.: 09/784,670
Filing Date: 15 February 2001
Title: A MODULATED RELEASE PARTICLE
FOR AEROSOL DELIVERY
Examiner: Sandra Wegert
Group Art Unit: 1647
Attorney Docket Number: 540541-2029

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REVOCATION AND CREATION OF POWER OF ATTORNEY

I, Juan F. Rodriguez, hereby certify that I am authorized to act on behalf of Aeropharm Technology, Inc., having a principal place of business located at 18 Mayfield Avenue, Campus Plaza/Raritan Center, Edison, NJ 08837, in matters before the United States Patent and Trademark Office. I further certify that the assignment documents for the above-identified patent application have been reviewed and that to the best knowledge and belief of Aeropharm Technology, Inc., title in such patent application is in the name of the Aeropharm Technology, Inc. The assignment to Aeropharm Technology, Inc. for the above-identified patent application was recorded in the United States Patent and Trademark Office on 14 May 2001 at Reel 011799, Frame 0119.

In the above-identified United States patent application, I hereby revoke all powers of attorney previously created. I hereby appoint the following attorney to prosecute the above-identified application and transact all business in the Patent and Trademark Office connected therewith.

Karen J. Messick, Esq.

Reg. No. 46,256

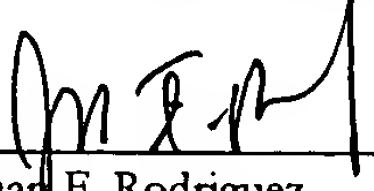
the mailing address and telephone number of whom is Kos Pharmaceuticals, Inc., 1001 Brickell Bay Drive, 25th Floor, Miami, FL 33131, (305) 523 3643, with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

All correspondence should be sent to the attention of:

Karen J. Messick, Esq.
Kos Pharmaceuticals, Inc.
1001 Brickell Bay Drive, 25th Floor
Miami, FL 33131
Telephone: (305) 523 3643
Facsimile: (305) 377 4076

AEROPHARM TECHNOLOGY, INC.

By


Juan F. Rodriguez
Secretary

Date:

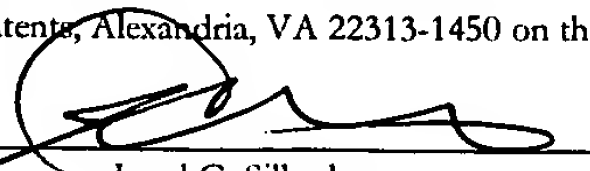
5/3/04

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450 on the date indicated below.

Date: 5/10/04

By:


Jared G. Silberhorn



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Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir,

Enclosed herewith for filing with the United States Patent and Trademark office in the above-referenced patent application are the following documents:

1. Revocation and Creation of Power of Attorney; and
2. Return Postcard.

No costs are believed to be due in connection with this filing. However, please charge any necessary fees to our Deposit Account No. 50-2543.

If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

Karen J. Messick, Esq.
Registration No. 43,256
Attorney for Applicants

Kos Pharmaceuticals, Inc.
1001 Brickell Bay Drive
25th Floor
Miami, FL 33131
Date: 5/19/04

CERTIFICATION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

5/19/04
Date

Jared G. Silberhorn
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